



State of New Jersey
Department of Environmental Protection and Energy

Division of Parks and Forestry
Historic Preservation Office
CN 404

Trenton, NJ 08625-0404
Tel. # 609-292-2023
Fax. # 609-292-8115

Jeanne M. Fox
Acting Commissioner

Nancy Zerbe
Administrator

HPO-A94-137
February 8, 1994

Mr. Lawrence P. Goldman, President
New Jersey Performing Arts Center
One Gateway Center (12 Floor)
Newark, New Jersey 07102

Attn: Gail Thompson

Dear Mr. Goldman:

I am in receipt of recent letters from Greenhouse Consultants Incorporated which indicate that the human skeletal remains already exhumed from Trinity Cemetery still remain in temporary storage with neither the benefit of controlled environmental conditions or stabilization. This has resulted in their further deterioration including mold growth on some of the human remains. Ultimately, the continuation of this unstable situation may mean that several of the twenty one burials already exhumed will not be adequately preserved for the analyses agreed upon prior to the signing of the Memorandum of Agreement to be undertaken.

I think we agree that you have a responsibility under the existing Memorandum of Agreement to ensure that the remains are secure and stable. Please advise us what steps you are taking to ensure stabilization and analysis of the exhumed remains including a schedule for the various steps. The status report, including the schedule for analysis, should be prepared by your selected archaeological consultant and submitted as soon as possible.

According to the Advisory Council on Historic Preservation's January 6, 1994 letter, the question of the percentage or number of burials to be exhumed remains under discussion. In the meantime, please take the steps necessary to ensure preservation of the unexhumed human and other remains until these issues are resolved.

For example, it is my understanding that the large shelters erected on site to shelter clusters of burials are ripped and

no longer functioning to protect burials yet in the ground. Further, the site work agreed upon in the October 1, 1993 meeting, necessary to drain water from the cemetery, has also not been accomplished.

In sum, the terms of the Memorandum of Agreement and the scope of work agreed on remain in effect. Until such time as all issues are resolved, it is your responsibility and that of the City of Newark to protect the human remains already exhumed from Trinity Cemetery. Particularly in light of the possibility that the cemetery contains the remains of 700 to 800 individuals rather than the c. 250 which the Historic Preservation Office believed it to contain at the time of the signing of the MOA, it is especially important for the limited number of burials excavated to date to be treated with the utmost professional care.

If you have any questions, please do not hesitate to contact Deborah Fimbel, staff archaeologist for this project.

Sincerely,



James F. Hall

Deputy State Historic
Preservation Officer

JFH:CTP:DRF

ER:drf13:3trinity

c. Advisory Council on Historic Preservation

City of Newark

Attached Distribution List of Interested and Consulting
Parties

RECEIVED

32 Park Place
Newark, New Jersey 07102
201 623-9091
Fax 201 623-9093

January 13, 1994

JAN 20 1994

HISTORIC PRESERVATION OFFICE

Ms. Gail Thompson
New Jersey Performing Arts Center
One Gateway Center, 12th Floor
Newark, NJ 07102

Dear Ms. Thompson:

The human remains and artifacts excavated by Greenhouse Consultants Inc. from the Trinity Cemetery require immediate attention. This afternoon we made one of our routine inspections of some of the skeletons and artifacts from the Trinity Cemetery. We discovered that some of the bones are beginning to develop mold growth. Unless these remains are given immediate professional attention, this growth may spread, and could destroy the remains.

As you know, the human remains are in temporary storage in the basement of 32 Park Place. This facility does not have controlled temperature or humidity, and such conditions facilitate the growth of mold and mildew. In my memo of 12-7-93 to Joseph Fleming of PS&S, I pointed out that we agreed to store them in the basement with two conditions: " 1) They would only be stored for a short time, and would be quickly transferred to the lab(s) of the physical anthropologists, and 2) A humidity and heat control system would be installed". We have not received a reply to this memo. Meanwhile, neither condition has been met, and to my knowledge, neither will be met in the near future. Allowing the human remains to stay in the basement for an extended period of time shows a lack of respect for these people and their descendants.

The artifacts recovered during the excavations have received minimal attention since October. Some are deteriorating. As you know, when we excavated these artifacts and human remains, we made a commitment to treat them in a professional manner. As a member of the Society of Professional Archaeologists (S.O.P.A.), I am obliged to see that these artifacts and human remains do not deteriorate before analysis..

Your prompt attention to this matter will be greatly appreciated.

Truly yours,

William Sandy

(AC)

William Sandy, SOPA
Co-Principal Investigator

Greenhouse CONSULTANTS incorporated
Atlanta New York New Jersey

MEMORANDUM

Date: January 18, 1994

To: Gail L. Thompson, AIA, Vice President, NJPAC JAN 24 1994

From: The Team of Physical Anthropologists:
A. P. Agelarakis, S. J. Turkel, J. V. Taylor

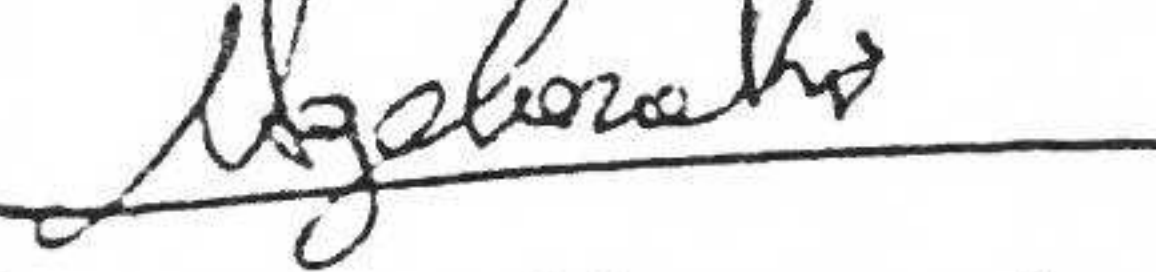
Re: Trinity Cemetery Archeo-Anthropological Project:
Human Skeletal Remains

The 17th of January, 1994, it came to our attention, through a telephone conversations with Mr. Bill Sandy, the Greenhouse Consultants' Co-principal Investigator for the Trinity Cemetery Project, that the human skeletal remains unearthed from the archeological contexts of the historic Trinity Cemetery Site at Newark, New Jersey, continue to suffer an increasingly irreversible and deleterious deterioration, only now with the additional, visible, markers of mold-growth!

The human skeletons and associated artifactual remains, are still "dumped", if you allow me this graphic expression, in a basement, which presents none of the basic qualities that would render it an appropriate repository for such tremendously important cultural resources for the city of Newark and the region, not to mention the issues of ethics and respect for the human remains and their descendants. In the name of the development and revival of the cultural activities of your City, PAC, and all other responsible parties involved omit to realize the very active and deliberate destruction of Newarks' historic and cultural resources.

Although we realize that you are implicated with procedural difficulties in complying with the guidelines of the Federal Government we advise you strongly, again, that the archeological and anthropological material excavated so far from the Trinity Cemetery Site is not expandable, nor can it be duplicated. These cultural resources should not be held hostage at interim any more till you reach a resolution with the appropriate government agencies and all interested parties involved. A long overdue process must be initiated as soon as possible: the cleaning, consolidation, preservation, and study of the excavated remains with the outermost respect and according to the most appropriate scientific methods.

You have in your hands a very serious issue that could be largely resolved by your thoughtful initiative.

Sincerely yours,
Anagnosti Agelarakis, Ph.D., SOPA, 
Representative of the Team of Physical Anthropologists.

cc:
Honorable Sharpe James, Mayor of Newark, New Jersey
New Jersey State Historic Preservation Officer
Regional Administration/Housing Commissioner
U.S. Department of Housing and Urban Development
President, Newark Municipal Council
National Trust for Historic Preservation
Mr. Robert D. Bush, Executive Director, Advisory Council on Historic Preservation
Dr. Larry Banks, President, SOPA
Dr. Ann-Marie Cantwell, PANyc
Mr. Barry D. Greenhouse, Greenhouse Consultants



State of New Jersey
Department of Environmental Protection and Energy
Natural and Historic Resources

CN 402
Trenton, NJ 08625-0402
Tel. # 609-292-3541
Fax. # 609-984-0836

Jeanne M. Fox
Acting Commissioner

James F. Hall
Assistant Commissioner

RECEIVED

JAN 25 1994

January 25, 1994

HISTORIC PRESERVATION OFFICE

Mr. Glenn A. Grant
Business Administrator
Newark Department of Administration
920 Broad Street
Newark, New Jersey 07102

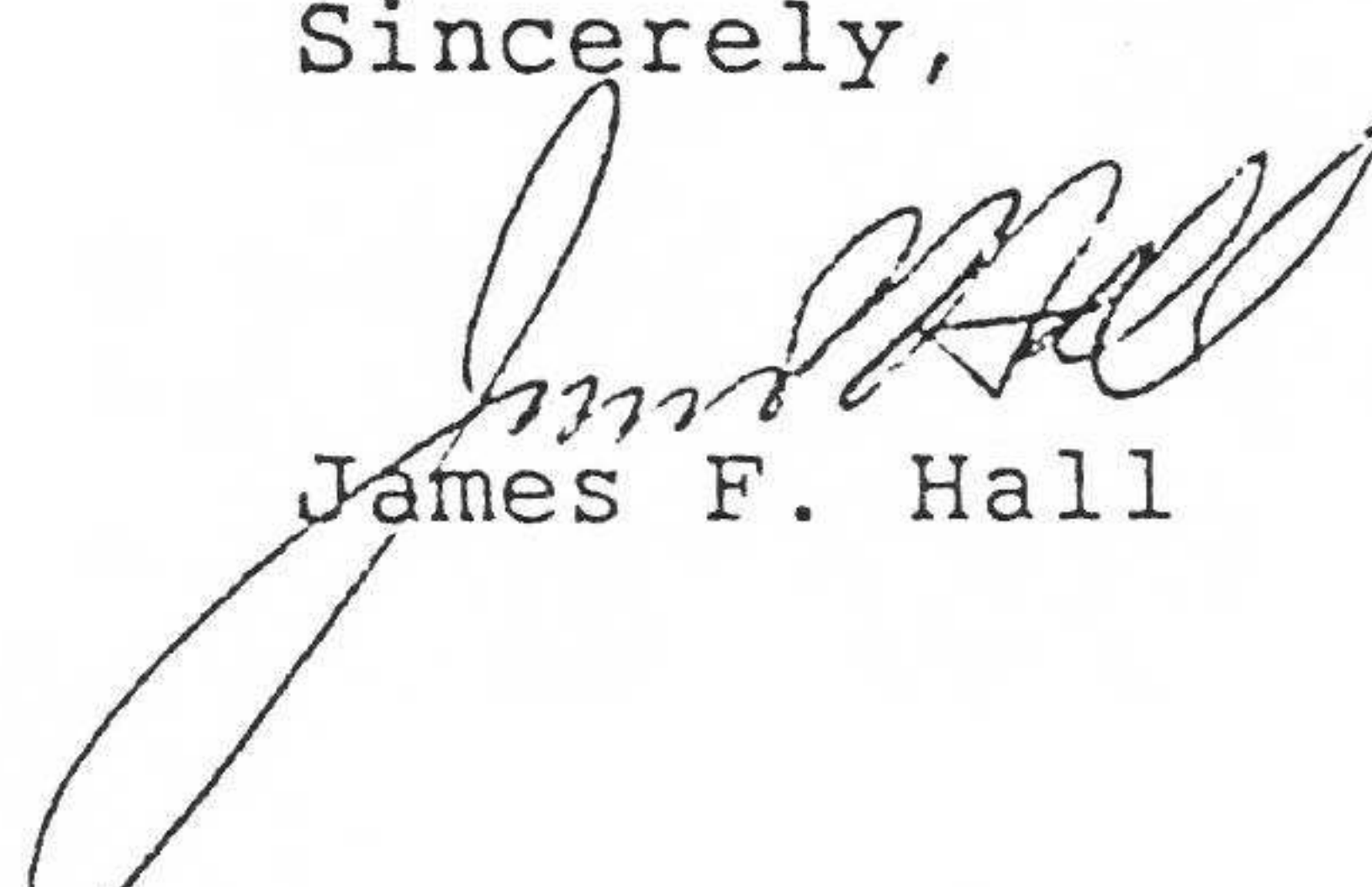
Dear Mr. Grant:

This is in response to your letter of January 20, 1994 regarding the availability of additional funds through our Historic Preservation Office for the ongoing data recovery efforts by the Newark Performing Arts Center. The historic preservation grant funds available to the Department in this fiscal year total approximately \$600,000. Approximately \$60,000 of this is provided to Certified Local Governments, as required, under federal grant provisions with the remaining amount required for the various programs within the Historic Preservation Office.

As you can see, there is very little federal funding available for historic preservation efforts in New Jersey. I would also note that even if there was federal funding available within this program, it could not be used pursuant to federal regulations for any mitigation efforts required under the Section 106 process.

Please contact me should you have any additional questions.

Sincerely,


James F. Hall

c: Nancy Zerbe

14 Stuyvesant Oval
New York, New York 10009
1 February 1994

Mr. Glenn A. Grant
Business Administrator
City of Newark
920 Broad Street
Newark, New Jersey 07102

Dear Mr. Grant:

I am writing to express to you my deep concerns about the Trinity Cemetery-NJPAC archaeological project. Under the memorandum of agreement, I am an interested party and, I should also note, an archaeologist who is an Associate Professor of Anthropology at Rutgers University in Newark.

Although I have written to state and federal agencies before to express my concerns about the sampling procedures at the site and the destruction of information critical not only to understanding Newark's history but that of the nation as a whole, I am writing to you directly about a far more serious matter. The human remains that have already been excavated are deteriorating rapidly. In fact I understand that there is now mold growing on them and that they are in an unprotected basement. I attach to this letter a copy of a letter from Dr. Anagnosti Agelerakis to Gail Thompson of NJPAC which details these very serious issues. I must emphasize that such indifferent treatment of human remains must not be allowed to continue. Proper and immediate conservation must be initiated immediately. I must also emphasize the importance of the information that can be derived from a proper analysis of these human remains and their associated artifacts.

I look forward to your prompt attention to this serious matter.

Sincerely yours,

Anne-Marie Cantwell

cc: Gail Thompson, NJPAC
Greenhouse Consultants
New Jersey State Historic Preservation Office
Anagnosti Agelerakis, Team of Physical Anthropologists

RECEIVED

FEB 14 1994

NEW JERSEY STATE HISTORIC PRESERVATION OFFICE

RECEIVED

MEMORANDUM

FEB 22 1994

HISTORIC PRESERVATION OFFICE

Date: February 5, 1994

To: Greenhouse Consultants: Dr. W.I. Roberts IV, and Mr. B. Sandy,
Trinity Cemetery Site Principal Investigators

From: The Team of Physical Anthropologists:
A.P. Agelarakis, S.J. Turkel, J.V. Taylor

Re: Trinity Cemetery Archeo-Anthropological Project: Response to
Greenhouse Consultants' Request for a "Conservation Proposal"
Concerning the Unearthed Human Skeletal Remains.

This is a response to your most current request, concerning our input in the drafting of a "conservation proposal" for the unearthed human skeletal and associated bioarcheological and cultural remains of the Trinity Cemetery Site.

In order to provide the appropriate context within which to discuss this latest mandate, it is rendered most important to bring to your attention the following: to date, the human remains are held in the basement of the Greenhouse Consultants' office space in Newark N.J. A significant number of the anthropological remains were deposited in the basement as early as September-October of 1993. This basement by no means presents the physical and technical conditions and settings by which a space could be rendered, even marginally, an adequate repository for anthropological remains before their anticipated transfer to an appropriate laboratory for study. Deleterious environmental settings, and the absolute lack of any conservation whatsoever of the anthropological remains continues to cause a rapid, and detrimental, deterioration of this most important skeletal record and contextual bioarcheological and cultural materials. As recently as the end of January 1994, our team was informed that mold and mildew growth had been observed on a number of the skeletal remains and the associated sediment deposits attached to the human bone! Since these growths are a visible, external indication of a more serious disintegration and degeneration process affecting the anthropological material, once again, our team responded to these developments by advising Gail L. Thompson, AIA, Vice President of the NJPAC, to take the appropriate actions in order to comply with the necessary federal guidelines, and to ensure the shortening of the prolonged "captivity status" of the human remains. It was underlined that pertinent action was required to finally permit the initiation of the long overdue laboratory preparations and analyses of the human remains and associated bioarcheological and cultural artifacts as proposed by the team of physical anthropologists and negotiated with NJPAC.

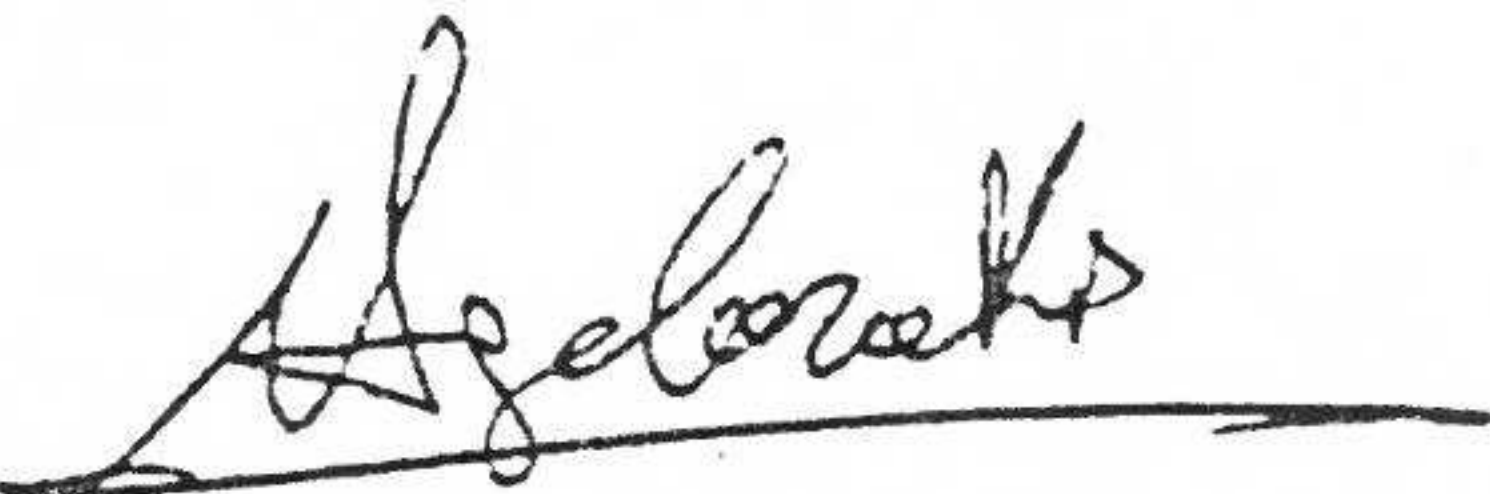
Please be informed that the team of physical anthropologists strongly advises you to remove the anthropological remains from this basement as soon as possible by means of providing appropriate authorization for their

transportation to the laboratory facilities of Adelphi University, and New York Institute of Technology, respectively. Only then would it be possible and feasible for an interim process of preliminary laboratory activities of cleaning and preserving the remains, a "conservation" process if you wish, to take place. We advise all parties involved to explicitly avoid an additional moment of keeping the anthropological materials in any such non-pertinent space or setting.

Our team is available to discuss any relevant details concerning the arrangements of such an endeavor.

Looking forward to your reflections and response to our proposal.

Sincerely yours,



Anagnosti Agelarakis, Ph.D., SOPA,
Representative of the Team of Physical Anthropologists.

cc: Gail L. Thompson, AIA, Vice President, NJPAC
Honorable Sharpe James, Mayor of Newark, New Jersey
New Jersey State Historic Preservation Officer
Regional Administration/Housing Commissioner
U.S. Department of Housing and Urban Development
President, Newark Municipal Council
National Trust for Historic Preservation
Mr. Robert D. Bush, Executive Director, Advisory Council on Historic
Preservation
Dr. Larry Banks, President, SOPA
Dr. Ann-Marie Cantwell, President, PANYC

Advisory Council On Historic Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

JAN - 6 1994

Honorable Sharpe James
Mayor of Newark
Newark, NJ 07102

REF: New Jersey Performing Arts Center Project

Dear Mayor James:

We received the letter of December 7, 1993, from Mr. Glenn A. Grant, Business Manager for the City of Newark, requesting comments of the Council regarding the proposed modification of the research design for the Trinity Cemetery, a property eligible for listing on the National Register of Historic Places. The New Jersey State Historic Preservation Officer (SHPO) has expressed reservations about the "technical merits" of the proposal by the New Jersey Performing Arts Center (NJPAC) to reduce the sample size of human remains to be disinterred and analyzed. Therefore, in accordance with Stipulation IX of the executed Memorandum of Agreement (MOA) among the City, NJPAC, the New Jersey SHPO, and the Council, and based upon the background documentation submitted to us by the City and NJPAC for the New Jersey Performing Arts Center Project between January and March 1993 and during the post MOA consultation, the Council offers the following recommendations to the City regarding the appropriate treatment of the Trinity Cemetery.

It is our conclusion that to conduct any less than a twenty (20) percent sample of the human remains located within the cemetery would be indefensible. To do so would seriously compromise the archeological potential of the cemetery, and perhaps more importantly, would be an indignity to those who are interred in this historic property and their descendants. As it stands, the exact number of burials, reputed to be the remains of over 800 individuals, has not been determined, nor has the ethnic background of the human remains been adequately researched. Consequently, twenty-one (21) burials would in no way serve as an adequate sampling for the total population of the cemetery.

Accordingly, we recommend that the City and NJPAC, in consultation with the New Jersey SHPO and interested persons, review the historical literature on the cemetery to make a more accurate determination of the cemetery population and the ethnicity of the remains. This information should serve as the basis for consultation with the community to determine 1) public interest in the resource; 2) public views regarding appropriate treatment of the burials; and, 3) appropriate interpretation of the results of the data recovery. Only after these steps have been completed could a reasonable decision then be made regarding appropriate sample size.

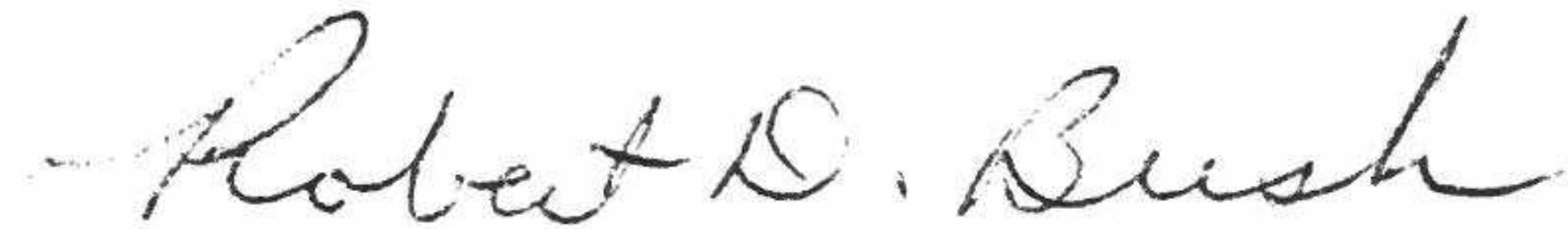
We appreciate that NJPAC has already expended a substantial portion of its Community Development Block Grant funds on the archeological research of the Trinity Cemetery. However, a substantial amount of funds was exhausted by NJPAC and its consultants as a result of poor management decisions and contracting problems. Proper archeological research and suitable respect for the dead should not arbitrarily suffer to compensate for these regrettable circumstances. While we agree that the NJPAC would not benefit from the intended purpose of the grant if additional funds were allocated to data recovery at the Trinity Cemetery, we believe that the provisions outlined in the MOA represent the minimum mitigation necessary to address the project impacts to the Trinity Cemetery. Therefore, we recommend that the City take appropriate steps to assist NJPAC in identifying alternate sources of local, state, and Federal funds to carry out an appropriate data recovery effort.

As part of the planning process for local economic development activities, the City should ensure that a reasonable balance is achieved between project goals and historic preservation. It was clearly the intent of Congress to encourage such planning when it passed the National Historic Preservation Act in 1966. Hence, we disagree with the argument that archeological data recovery undertaken at the Trinity Cemetery is not important to the community. To the contrary, the successful completion of the approved research design would not only preserve part of Newark's early history, but also promote the heritage and cultural awareness of its residents. Moreover, the community pride generated from the respectful and appropriate analysis of human remains, which may include African Americans from the early 19th century, would certainly engender widespread support for the New Jersey Performing Arts Center among the broader community in years to come.

In accordance with Stipulation IX of the MOA, the City should give careful consideration to the recommendations of the Council and advise us of its intentions with regard to the treatment of human remains within the Trinity Cemetery prior to taking further action.

We appreciate your continued cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Bush".

Robert D. Bush
Executive Director

cc:

New Jersey Performing Arts Center
New Jersey State Historic Preservation Officer
Senator Frank Lautenberg
Regional Administrator/Housing Commissioner
U.S. Department of Housing and Urban Development
President, Newark Municipal Council
National Trust for Historic Preservation
L. King Downing, Esq.

55 Lincoln Park
Newark, New Jersey 07102

April 20, 1994

Mr. Glenn A. Grant, Esq.
Business Administrator
City of Newark
City Hall
Newark, New Jersey 07102

Dear Mr. Grant,

We have completed a survey of the extant burial records of Trinity Church. The records, which have been housed at the New Jersey Historical Society since 1974, include the following: Trinity Church Parish Register, 1806-1813; Trinity Church Parish Register, 1813-1845; Trinity Church Parish Register, 1831-1865 and Trinity Church Parish Register, 1865-1889. Those records, in addition to providing information on Church baptisms, marriages, and the names of communicants, gives the names, burial dates and occasionally the familial relations and ages of deceased communicants of the Church. We have also examined selected correspondence and reports relative to the archaeological investigations and governmental monitoring of the Trinity Cemetery as a site for the New Jersey Performing Arts Center.

Included herein as an attachment is a complete list of entries of deceased blacks whose burial services were under the auspices of Trinity Church between the years 1806 and 1829. In our examination of all of the Church's death and funeral records of the nineteenth century, we found that most of the entries of deceased blacks are in the Register for the years 1813 to 1845. After 1829, there were either no burials of blacks by Trinity Church, or the race of the deceased was no longer cited. We believe it was likely that after 1829 the burial services of blacks were no longer within the purview of Trinity Church and that deceased black Episcopalians were buried at another site in the City, perhaps one that was specifically reserved for the race. Indeed, it was likely that after 1848 black Episcopalians in Newark were buried at a cemetery which served the communicants of St. Philip's Church. Started in 1848 on the second story of a schoolhouse located on the southeast corner of Halsey and New Streets, St. Philip's Church was one of the City's earliest black congregations. Later the Church relocated to a brick building on High Street near New

Street. Further research may determine the location of a burial ground or cemetery for black Episcopalians and other blacks in the City during the nineteenth century.

Our survey of the Trinity Church records found that thirty-nine to forty persons of African ancestry were buried under the auspices of the Church between 1806 and 1829. One person, "a manservant of Madam Governor named Cato," was not identified by race when he was buried on September 18, 1806; however, we believe he was a black because of his name (rather common among late eighteenth century black servants and slaves) and social station. The parish records do not give information on the location of those burials, although since Trinity had black communicants, it is reasonable to assume that some of the deceased blacks were buried in the Church's Cemetery. According to the Parish Records available for the years 1806 to 1889, the overall number of burials of white Trinity communicants exceeded five hundred.

Based on our research, we conclude that the Trinity Cemetery was not an African burial ground in the traditional sense of that term--a place specifically set aside, and set a part, for persons of African ancestry within a larger community, and a place wherein survived substantive African burial customs or practices. Rather, Trinity Cemetery, at least up to 1829, interned, along with whites, deceased blacks who had some formal connection with Trinity Church as communicants or had a relationship in life with white communicants of the Church. The Trinity Cemetery was, in short, a racially integrated cemetery with a small number of blacks interned from the early nineteenth century to 1829. That fact, it seems to us, is important in its own right because it shows that during the early nineteenth century, some African Americans in Newark were becoming, at the least, religiously closer to the larger white Protestant community and culture through their conversion to Christianity and their decision to worship in a overwhelmingly white church. However, we also believe that likelihood is only one part of the larger terrain of the City's social and cultural history in which other blacks, perhaps a majority, lived lives quite separate from the whites and were buried as a distinct group.

Our recommendations for a historically informed and reasonable way for the City of Newark to honor both of these aspects of local history are made in a separate document attached herein.

Sincerely,

Clement Alexander Price

Giles R. Wright

Trinity Church Parish Records, 1806-1845
Deaths and Burials Recorded for Blacks

Register, 1806

1806 Funerals

August 24, 1806, Ginnie aged 85 years a black and wife of Robt. Kingson. She was a servant of the late Honorable David Ogden Esquire. Dysentary [sic]

September 17, 1806, Robert Kingson, a black aged 93 years. Husband of Ginnie....

September 18, 1806, A manservant of Madam Governor named Cato

December 14, 1806, Susannah a black aged 19 years and servant of Mad. Governor, consumption after short illness

Register, 1813 - 1845

1813 Funerals

December 21, 1813, Charles, a black

1814 Funerals

February 11, 1814, A Black Woman, sister to John Piere

February 20, 1814, Thomas James, (black)

June 18, 1814, Laetitia, a black woman

August 14, 1814, a coloured child of Grace

December 7, 1814, a black woman Kato, belongs to Mr. Halsey

1815 Funerals

July 22, 1815, Cesar, a coloured person

November 25, 1815, Celia, a black woman

1816 Funerals

November 17, 1816, William a black

1817 Funerals

January 17, 1917, Thomas, a coloured child

August 26, 1917, Sarah, a coloured woman

1818 Funerals

April 8, 1917, Pompey, a coloured servant of Wm. Maverick

November 29, 1918, Harriet, a coloured person

1819 Funerals

August 8, 1819, a coloured child

1820 Funerals

January 7, 1820, John Perre, a black

February 7, 1820, Amy, a black aged 103

February 7, 1820, a Black

March 30, 1820, a child of Mary a black

April 2, 1820, Yambomuncha (an African)

October 6, 1820, a black child

November 2, 1820, at Belleville, Betty a black

November 11, 1820, Cato Thomas, a black child

1821 Funerals

December ?, 1821, Buried Betsy a colored woman; and a
colored child of Charles Denison [exact
date unrecorded]

1822 Funerals

September ?, 1822, Buried--age about seven years, son of
William, a colored man [exact date
unrecorded]

September ?, 1822, A Colored man Jack belonging to
[illegible] Redding Buried by
Wm. Ward [exact date unrecorded]

December 10, 1822, Buried Clark (a colored man)

March 22, 1822, Buried Tony Fields a colored man

September 17, 1822, Buried Hannah a colored woman wife of
Cato Montgomery

December 3, 1822, Buried Charles Tenison a colored man

1823 Funerals

March 5, 1823, Buried Jack Cudjo a black aged probably about 100 years [Jack Cudjo, a former slave, fought in the American Revolution in the stead of his master Benjamin Coe and, in recognition of that service, received an acre of land on High Street in Newark.]

October 30, 1823, Buried Cato Montgomery a colored man

1824 Funerals

August 10, 1824, Buried Thomas Welch a coloured man

1826 Funerals

September 7, 1826, Buried Jacob a coloured man

1828 Funerals

November 22, 1828, Buried Grace a coloured woman about...
[years of age not given.]

1829 Funerals

October 21, 1829, Buried John Taylor, a black aged about 40 ✓

Summary and Recommendations

Summary

The many months of intense study of the extant primary source materials on Trinity Church and the downtown environs of Newark, the archaeological work done at the site of the old Trinity Church Cemetery, the public discourse on the future land use of those old grounds, and the spirited controversy surrounding the plans to remove the remains at the Cemetery, presents us with an opportunity to reconsider the value of public history. Newark is among many other American cities now attempting to reconcile a vision of an honorable past with the demands of the present and future. The difficulty of making that reconciliation is all the more challenging when, as with the case of the Trinity Church Cemetery, the records of the past sheds light on anonymous Americans of African ancestry. Public history enables us to at once honor the obscured past and to move forward as a community of informed individuals.

We believe that it is important for those who are interested in the symbolic meaning of the Trinity Cemetery to keep an informed historical perspective. Although the Cemetery was obviously not an African burial ground in intent, or in its use over the nineteenth century, it had an important and illustrative story of nineteenth-century life in a rapidly changing city. African Americans and Euro-Americans in nineteenth-century Newark lived in a city that was divided by race, class, and culture. Those lines of separation were, in fact, drawn not only in life, but in death. For example, our survey of the burial records of the Church found that as deceased persons, blacks were demeaned and objectified by the citations used to describe them in the Church records. Most were denied the honor customarily accorded to deceased whites: their surnames were usually not listed on Church records; the names of some of the deceased blacks buried at Trinity Cemetery were not given at all, identified only by their color. In this sense, our survey of the Church records underscores one of the major objectives of contemporary historical scholarship: a reverence for the anonymous individuals of the past. Americans of our generation need to know what such racially nuanced references symbolized about the larger society. More specifically, in Newark we need to be more aware of how such racial demarcations reflected the way the City evolved as an interracial community and how racial attitudes intersected with the ethos of local democracy.

It is also important that after 1829 the deaths and burials of blacks were no longer under the auspices of Trinity Church. We believe that dramatic change was a reflection of a growing trend toward racial separation in Newark. In short, race increasingly mattered in residential

settlement, occupational status, voting rights, church affiliation, and, as exemplified by the Trinity records, in death. On the one hand, racial discrimination became more institutionalized as the Civil War years approached and as northern blacks, then more than a generation out of bondage, realized that though freedom was preferable to bondage it ushered them into a social caste system. On the other hand, blacks sought to protect their self-interest in cities like Newark by establishing separate spheres of religious and social activity. In doing this, they gave their lives agency. One example of that preference for black group and individual agency was for blacks to form their own burial societies. We believe that by the 1830s, black Episcopalians, following the lead established earlier by black Methodists and Baptists, avoided cemeteries controlled by white churches.

The records of the Trinity Church, then, are symptomatic of changing racial relations in Newark. But beyond that, they should encourage further study on nineteenth-century social life in Newark. Although the records enable students of Newark history to envision certain aspects of early life here, much more can be learned about other historic places where blacks, as just one example, lived, worked, went to school, and were buried.

Those who have argued that the remains of the deceased in the Trinity Cemetery must be treated with care and dignity have made an unmistakably valid point. The same may be said of the argument that the Cemetery should in some way be kept alive in the historical imagination of contemporary Newark. As one of the nation's oldest cities, Newark has a vested interest in historical preservation. While there is considerable and understandable interest in the remains of those of African ancestry, we believe that the interracial character of the Cemetery actually compels a broad consideration of the site as a place where the realities of church affiliation, racial difference and social status intersected. Consider, for example, that in a Cemetery that was invested with the remains of some of Newark's most prestigious white families, there was buried on April 2, 1820 Yambomuncha, an African, and later on March 5, 1823, Jack Cudjo, a black man who fought in the American Revolution. The past, or at least aspects of it, can be illuminated from such seemingly incidental ironies.

Recommendations

We recommend that the City of Newark insist upon the highest professional standards for the anthropological study of the remains of the deceased buried at Trinity Cemetery and for the reinternment of remains at another cemetery chosen by the Trinity and St. Philip's Cathedral in Newark.

We recommend that an appropriate memorial of the Trinity Cemetery be placed on or near its old site; that the memorial cite the significance of the cemetery as a resting place for Newarkers of both European and African ancestry; that, in recognition of the historic indignity accorded many of the blacks who were interned without the customary honor of full names, the original notation in the Parish records be inscribed on the monument; and that the monument be seen as a viable symbol of the City's past for residents, students, visitors to the New Jersey Performing Arts Center, and tourists.

We recommend that the City of Newark generously encourage and build upon the curiosity engendered by the current civic interest in the importance of the Trinity Cemetery by mounting an ambitious public history effort that will study nineteenth-century social life in the City and have among its objectives an inquiry and documentation of historic places used by persons of African ancestry and other groups whose lives here are deserving of greater recognition and appreciation. Such an initiative, long needed in Newark, would be in keeping with similar efforts in other parts of New Jersey, including Monmouth, Burlington, Camden and Morris counties.

Finally, we recommend that the history students of Newark be encouraged in their American history courses and in existing local history projects to utilize extant documentary materials, such as those from Trinity Church and other sacred and secular organizations, to enhance their historical literacy and appreciation of early Newark and its residents.

Respectfully submitted,

Clement Alexander Price
Giles R. Wright




Gail L. Thompson, AIA
Vice President
Design and Construction

One Gateway Center (12th floor)
Newark, New Jersey 07102
Telephone: 201-648-8989
Fax: 201-648-6724

MEMORANDUM

TO: Interested Parties

FROM: Gail L. Thompson 

DATE: October 28, 1993

RE: Trinity Church Cemetery Mitigation –
Amendment to the Memorandum of Agreement Between
the Advisory Council on Historic Preservation,
NJSHPO and the City of Newark

Please review the attached correspondence between the State Historic Preservation Officer and the New Jersey Performing Arts Center. Comments should be forwarded to and received by Mr. Hall no later than Friday, November 5, 1993.

Thank you.



**New
Jersey
Performing
Arts Center**

Gail L. Thompson, AIA
*Vice President
Design & Construction*

One Gateway Center (12th floor)
Newark, New Jersey 07102
Telephone: 201-648-8989
Fax: 201-648-6724

October 21, 1993

Mr. James F. Hall
Assistant Commissioner
Division of Natural and Historic Resources
Office of New Jersey Heritage
Station Plaza 5
501 East State Street
CN 402
Trenton, NJ 08625-0404

**Re: Trinity Church Cemetery
Archaeological Excavations
City of Newark, Essex County**

Dear Mr. Hall:

I am following up on our discussion yesterday with the information you requested. Provided is a summary and explanation of the costs for excavating the Trinity Church cemetery, both expended and anticipated, an explanation of the cost increases and an assessment of the work progress.

Please accept this letter on behalf of both the New Jersey Performing Arts Center ("NJPAC") and the City of Newark (the "City") as a formal request to you, in your capacity as the New Jersey State Historic Preservation Officer (the "NJSHPO"), to amend the Memorandum of Agreement (the "MOA") between your office, the City and the Federal Advisory Council on Historic Preservation (the "Advisory Council") relating to the NJPAC project site in Newark, New Jersey. The City has concurred with NJPAC with respect to the need for an amendment of the MOA and joins in this request. This request is made pursuant to Article XIA. of the MOA.

Specifically, NJPAC seeks the agreement of the NJSHPO and the Advisory Council to an amendment of Article VA. of the MOA to the extent it refers to the Greenhouse Consultants research design for the Trinity Church Cemetery. A copy of this letter and its attachments is being simultaneously forwarded to Ms. Charlene Dwin Vaughn of the Advisory Council staff for consideration. Ms. Vaughn has indicated that the Advisory Council will likely concur with the NJSHPO in any determination reached in accord between the NJSHPO, the City and NJPAC for an amendment to the MOA.

As initially proposed by Greenhouse Consultants, NJPAC anticipated a total cost of \$216,500.00 to complete the scope of work embodied in the MOA for the mitigation of the adverse effects of the NJPAC project upon the Trinity Church Cemetery. The basis of this initial proposal is explained in the attached memorandum dated October 19, 1993 to Lawrence P. Goldman, President and CEO of NJPAC. However, the cost of the work through October 11, 1993 has been \$266,252.00.

Further, future expenses to complete the work are anticipated to approximate \$532,500.00. When combined with costs to date, the total is 267% more than initially proposed by Greenhouse Consultants. The reasons why the Greenhouse Consultants initial proposal was inaccurate are set forth in the attached October 20, 1993 memorandum from Greenhouse Consultants.

Unfortunately, the anticipated cost to complete the work at the Trinity Church Cemetery may be understated based on the assessment of NJPAC environmental consultant, Paulus, Sokolowski and Sartor ("PS&S"). As explained in the attached copy of the October 21, 1993 letter from PS&S, the cost to complete work may very well increase by an additional \$300,000.00 over that already anticipated. Such an increase would bring the total cost to over \$1 million.

As you know, the federal grant initiating the Section 106 process requiring NJPAC and the City to conduct the Cemetery work is only \$1.2 million. The cost of the work as proposed and embodied in the MOA is fast approaching the sum of the grant, and the potential exists for the costs to exceed the value of the grant. At the very least, as things now stand, a substantial portion of the grant will effectively be used to complete the Cemetery work. This is clearly not the intent and purpose underlying the grant nor the National Historic Preservation Act and regulations of the Advisory Council.

Therefore, NJPAC and the City are compelled to request an amendment to the MOA. In particular, NJPAC and the City request that Article VA. of the MOA be amended to refer to the research design prepared by Greenhouse Consultants dated February 1993 (as amended by addenda dated May 1993 and June 1993 and reviewed and approved by NJSHPO) which is amended to call for the analysis of 20 burials excavated from the Trinity Church Cemetery through October 20 in accordance with the research design.

The cost to pursue the analysis on the 20 excavated burials, including expenditure to date is estimated at between \$450,000 and \$500,000. This is more than twice the originally anticipated cost of \$216,500.

This request is supported by the results of work to date at the Cemetery. As detailed in the attached letter from PS&S, many empty graves are being encountered which were potential burial locations, and many of the remains are found in much poorer condition than anticipated and are inadequate for analysis. It appears likely that far fewer burials are located in the Cemetery than previously believed. It also appears that fewer of the burials in the Cemetery are capable of analysis. The reduced number of burials to be excavated

Mr. James F. Hall
October 21, 1993

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and analyzed in accordance with the research design is likely to be consistent with the anticipated total number of burials of sufficient quality to be found in the Cemetery.

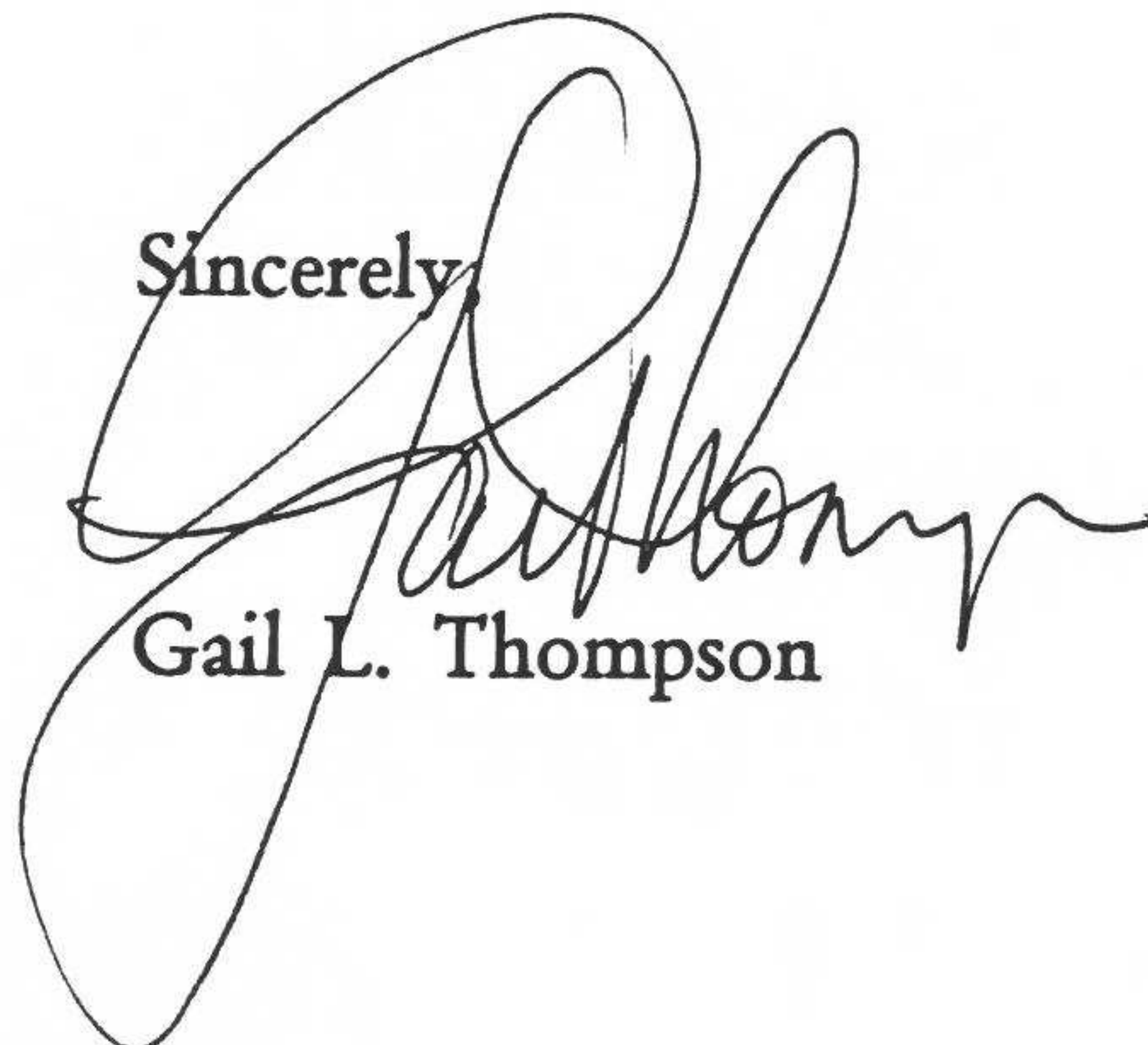
We have been earnest in our effort to complete the full scope of the work outlined in the July 1993 MOA addendum. We have responded cooperatively to the input of the Office of New Jersey Heritage while working within the constraints imposed by the overall project schedule and budget. However, we have gone considerably beyond what was viewed as an effort in proportion to the value of the information to be learned from the Cemetery and to the federal grant from which the work is being funded. By curtailing continued excavation we can effectively alleviate the dramatic cost increases that we have experienced as a result of the unpredictability of the excavation process. It is also of critical importance that the time allotted for mitigation mesh with our overall project schedule and not put us at risk for delay claims by contractors waiting for access to the site. We have already extended the mitigation schedule 100% beyond the original six weeks. We simply cannot accommodate a further extension of time.

Based on the foregoing, NJPAC and the City propose an amendment to the MOA. In light of the circumstances surrounding the Trinity Church Cemetery and the NJPAC project, NJPAC and the City jointly request the favorable review of the proposed amendment by the NJSHPO and the Advisory Council.

I am available to discuss this matter in detail with you.

All the best.

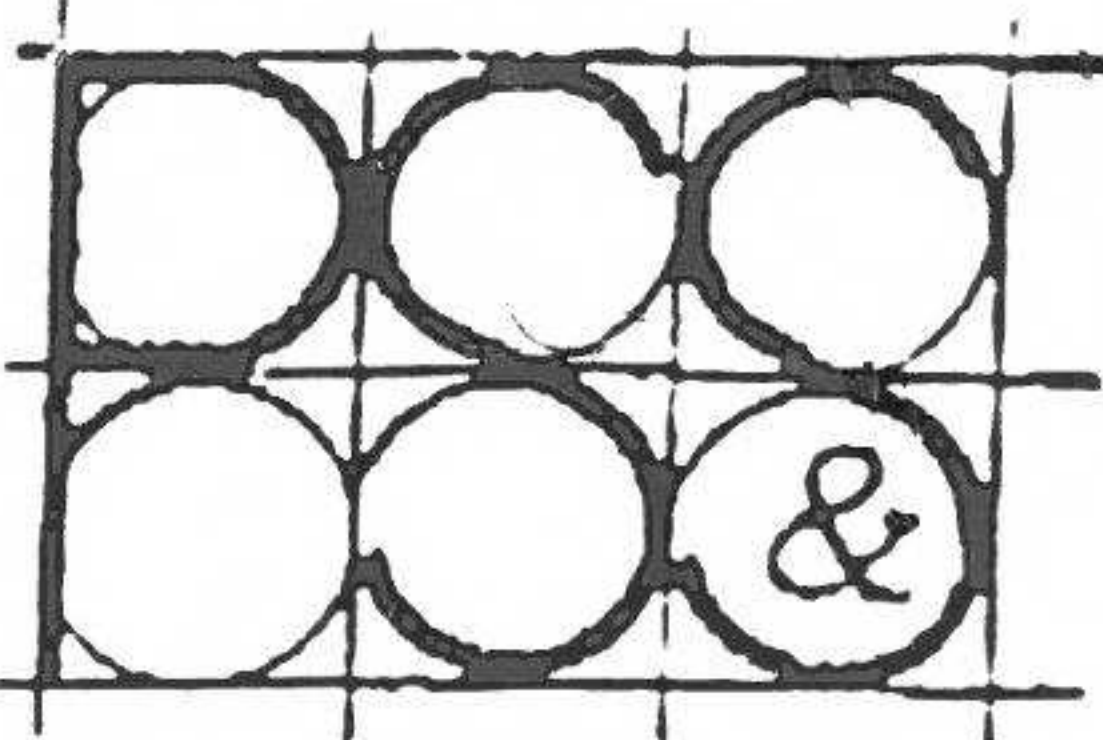
Sincerely,

A handwritten signature in black ink, appearing to read "Gail L. Thompson", written over the word "Sincerely,".

Gail L. Thompson

Attachments

c: Kristi L. Izzo



**PAULUS
SOKOLOWSKI
and SARTOR, INC.**
CONSULTING ENGINEERS

67A MOUNTAIN BOULEVARD EXTENSION
P.O. BOX 4039 • WARREN, NEW JERSEY 07059-0039
(908) 560-9700 • FAX (908) 560-9768

PRINCIPALS

William Paulus, Jr., P.E.
Anthony J. Sartor, Ph.D., P.E., P.P.
O. von Bratsky, P.E.
Philip A. Falcone, P.E.

David R. Antles, P.E.
Michael J. Dillon, P.E., P.P.
Michael M. Gennaro, P.E.
Martyn Lennon, P.P.
Joseph J. Liffen, P.E.
James R. Metzbreiter, P.E.
Carroll J. Otta, P.E., R.A.
Frank P. Vullaggio, P.E.

October 21, 1993
1486-002-04

SENIOR ASSOCIATES

William J. Berk, P.G.
John T. Bouan, P.E.
Michael P. Cohen, P.E.
George T. Cumar, P.E.
Joseph J. Fleming, P.E.
Bruce T. Hawkins, C.L.A.
Todd R. Heacock, P.E.
P. Steve Oliver
Eric Simone, P.E.
David W. Smith
Clifford Wilkinson, P.E.
Emad Youssel, P.E.

ASSOCIATES

Mark K. Addison, P.E.
Michael J. Barboza, P.E.
Joseph P. Barry, P.E.
Michael Belkoff, P.E.
Epidio C. Carbonell, P.E.
David J. Charette
Jon D. Engle, P.E.
Geoffrey R. Lanza, P.E.
Mark Lennon
Elizabeth B. McLoughlin, P.P., AICP
Janos Szeman
Theodore H. Vanderviel
Mark C. von Bratsky, P.E.
James R. Wancho, P.E.
Francis Wecht, L.S.

Ms. Gail L. Thompson, AIA
The New Jersey Performing Arts Center
One Gateway Center, 12th Floor
Newark, New Jersey 07102

Re: Status Report
Stage 3 Archaeological Work

Dear Ms. Thompson:

This represents our status report concerning services performed to date in connection with the Stage 3 archeological effort undertaken by Greenhouse Consultants, Inc.

1.0 INTRODUCTION

Paulus, Sokolowski and Sartor, Inc. (PS&S) has been involved in the engineering design and environmental services phases of The New Jersey Performing Arts Center (NJPAC) project since August 1991. PS&S has worked closely with the NJPAC and Greenhouse Consultants, Inc., during the Stage 1B and 2 archaeological investigations on the NJPAC project site. On October 7, 1993, the NJPAC advised PS&S of scheduling problems and escalating budgets concerning the Stage 3 archaeological investigation of the Trinity Church Cemetery being performed by Greenhouse Consultants. PS&S was asked to lend assistance to the NJPAC in monitoring performance of the archaeological work, assist in improving site logistics (i.e., report upon progress in meeting the November 12, 1993 NJPAC deadline for completion of the archaeological work through adherence to a five week schedule of archaeological activities beginning October 11, 1993, as provided by Greenhouse Consultants on October 7, 1993.

Ms. Gail L. Thompson, AIA
The New Jersey Performing Arts Center
October 21, 1993
Page 2

2.0 STAGE 3 PRODUCTIVITY

In regard to meeting the project schedule, PS&S initiated a program of weekly meetings with Greenhouse Consultants to review activities of the previous week, confirm that a program has been set for the upcoming week, and determine logistical needs. Our initial coordination meeting was held on Wednesday, October 13, 1993, during which we reviewed Greenhouse Consultants schedule, its key milestones and potential conflicts (see enclosed meeting minutes). The schedule projected the removal of ten (10) burials per week. The projection of ten burials per week in the schedule was explained by Greenhouse Consultants to be a minimum goal and that over the entire period the actual removal rate would increase exponentially through the five week schedule. As of Friday, October 15, a total of twelve (12) burials in the Stage 3 work were removed and stored in a temporary laboratory, and nine (9) burials were exposed. It is important to note that in the period preceding PS&S involvement, two of the twelve burials were removed between August 30 and October 7. Six (6) burials were removed in the first week of the schedule beginning October 11.

PS&S's second coordination meeting with Greenhouse Consultants on Wednesday, October 20 indicated that an additional four (4) burials would be removed by Friday, October 22. No additional burials were exposed during the second week. It was explained that the archaeologists were confronting a number of empty grave shafts and crypts, particularly in the southwest corner of the site. While the discovery of the empty grave shafts and crypts helps in the determination of the total burial universe, considerable archaeological time had to be invested without the ability to retrieve human remains or artifacts. As a result of the findings of the second week, October 18 through 22, Greenhouse anticipates that a higher quantity of empty graves and crypts will be found. Since the excavation methodology and time effort is identical for an empty grave as a grave containing human remains, the archaeologists face significant unproductive labor.

Because of the number of empty grave shafts and crypts found, there is little confidence that the rate of burial removal will grow exponentially in the remaining five (5) week schedule. As a result, the amount of time needed to achieve the previously agreed Stage 3 archaeological goal could increase by 100 percent. Our projection is also based on anticipated inclement and cold weather conditions, shorter daylight hours, and upcoming holidays. While additional manpower continues to arrive at the site, there is a point where manpower saturation fails to improve productivity, and in fact, could hamper operational efficiency.

Ms. Gail L. Thompson, AIA
The New Jersey Performing Arts Center
October 21, 1993
Page 3

3.0 STAGE 3 COST IMPACTS

PS&S has reviewed the October 14, 1993 budget estimates for completion of the Stage 3 investigations as provided by Greenhouse Consultants. This budget for Stage 3 archaeological work totals \$532,500. Combined with invoices to date, the total projected cost is \$798,752, which represents a 267 percent increase over the original Stage 3 budget.

While the personnel and projected manhours for the five week period are consistent with the activities of the first two weeks, the personnel and projected manhours will probably not reach the November 12th goal for completion of the Stage 3 work as stated above. Should the time required for data recovery field work increase by 100 percent as predicted, the potential cost impact to the NJPAC will increase by at least \$300,000. This figure is based upon doubling the personnel and minimal expense estimates provided in the October 14 budget estimate.

In addition to the Greenhouse Consultants estimates, the Stage 3 work is incurring costs from NJPAC personnel, Turner Construction Co., and PS&S. Conservatively, these costs will approach \$50,000 through November 12, 1993.

Based upon the field work that we have observed, PS&S cannot foresee any means or ways to direct the Stage 3 work to completion so that the final cost approaches the original estimate. In fact, we are most skeptical about accomplishing the Stage 3 archaeological work within the limits of the October 14 budget estimate from Greenhouse Consultants.

4.0 STAGE 3 CONTRIBUTING FACTORS

Greenhouse Consultants has advised PS&S both in conversation and in writing of the reasons for the Stage 3 cost escalation. Those reasons range from inconclusive results of their geophysical exploration to actual burial conditions, and post-Foley Square data recovery processes. In our opinion, the most extenuating reason for the cost escalation is the unexpected disturbance of grave sites most likely during the 1960's removal of burials by the church. That disturbance includes the undocumented removal of burials, random destruction of grave shafts and movement of burial remains. The 1960's disturbance was followed by unclassified excavation, backfilling and pavement construction. In performing the Stage 3 work, Greenhouse Consultants has encountered numerous empty grave shafts, disturbed and mixed burials, and poorly preserved human remains.

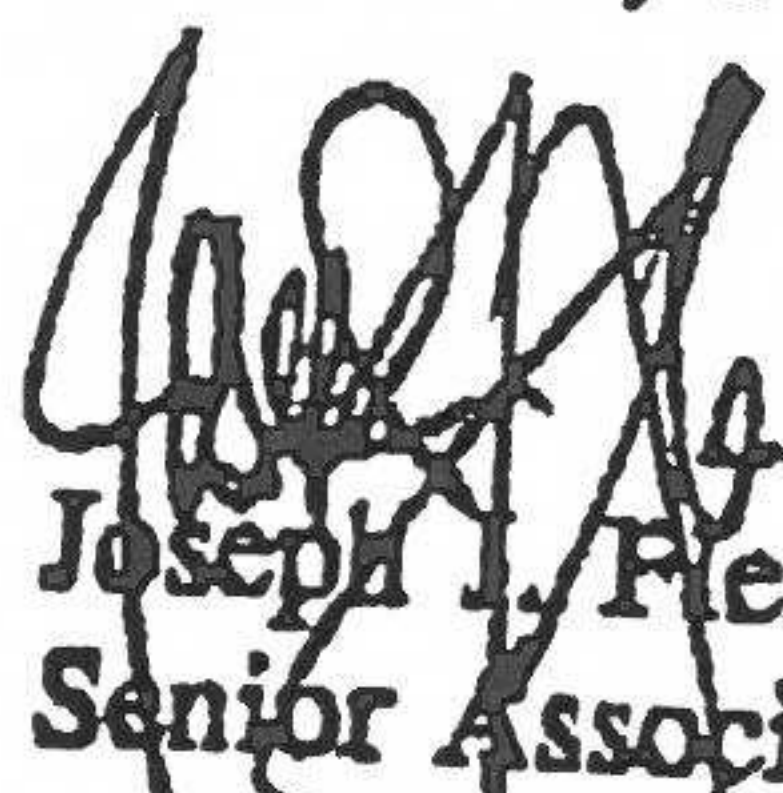
Ms. Gail L. Thompson, AIA
The New Jersey Performing Arts Center
October 21, 1993
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5.0 CONCLUSIONS

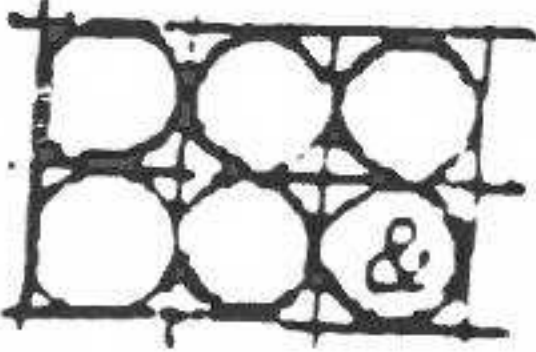
Absent any relief from the portion of the Memorandum of Agreement that relates to the Stage 3 archaeological work, the financial exposure to the NJPAC is overwhelming. It is important to note that contracts for construction are in place and involve on-site infrastructure to be installed within the cemetery site. Failure to meet the November 12, 1993 Stage 3 work deadline runs the risk of contractor delay claims and potential construction delays for the superstructure foundation.

Very truly yours,

PAULUS, SOKOLOWSKI AND SARTOR, INC.


Joseph L. Fleming, P.E.
Senior Associate

JJF:rj
Attachment



MEETING REPORT

Project: New Jersey Performing Arts Center
1486-002
Stage 3 Archaeological Analysis
Coordination Meeting #1

Meeting Date: October 13, 1993

Meeting Location: New Jersey Performing Arts Center

In Attendance: Barry Greenhouse
Bill Sandy
Al Cammisa
Michael Parrington
Leslie Roche
Joseph Fleming

Date: October 18, 1993

1. General

This is the first coordination meeting between Greenhouse Consultants and PS&S. The coordination meetings have been arranged to insure completion of the Stage 3 Archaeological work before November 15, 1993.

2. Progress to Date

- Shelter structures arrived on Tuesday, one shelter partially erected.
- 12 burials are expected to be in the lab by Friday.
- 9 burials exposed.

Meeting Report
October 18, 1993
Page 2

1486-002

3. Outstanding Work From Greenhouse Schedule

- ° Quantity of burials - B. Greenhouse indicated that the schedule for 10 burials per week is average goal; they expect increased productivity through the 5 week schedule.
- ° Completion of shelters and toilets.

4. Work To Be Completed In Coming Week

- ° Removal of 10 burials.
- ° Expose 10 burials.
- ° Begin definition to burial universe.
- ° Complete shelters, portable toilets, temporary power, lights, repair fencing.
- ° Bill Sandy to identify area and depth within cemetery that warrants mechanical soil removal by next meeting 10/20/93.

5. Staff/Supply Status

- ° Al Cammisa actively seeking additional archeologists (3 more arriving next week).
- ° Part time staff now must work 3 consecutive whole days.
- ° May require insulating blankets if below freezing weather is encountered.

6. Outside Services Required This Week

- ° PS&S through Turner will accommodate site logistics requirements.
- ° Security provided by NJPAC will be continued without change.

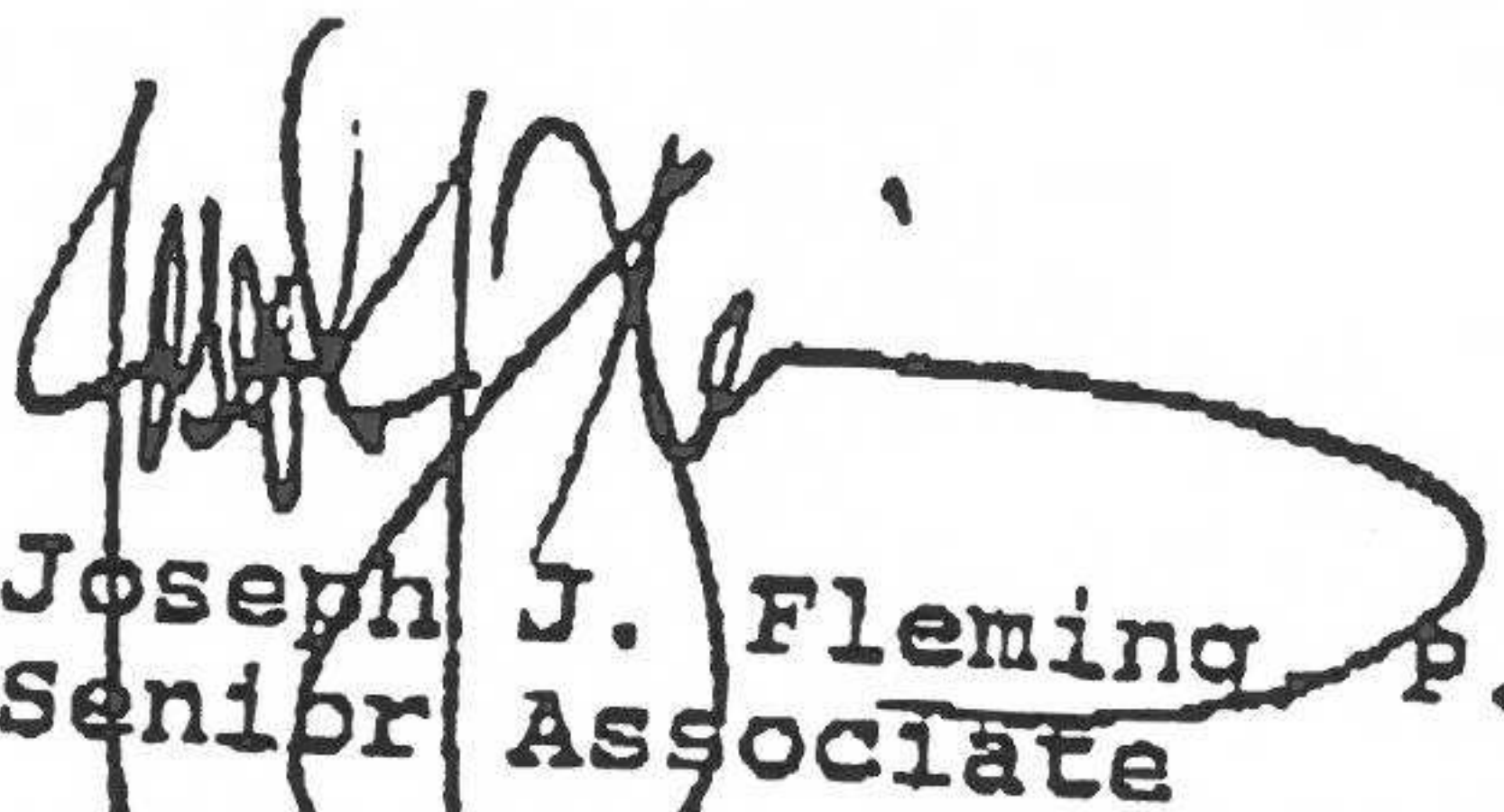
Meeting Report
October 18, 1993
Page 3

1486-002

The preceding is an interpretation of the major issues which were discussed at the meeting. If these minutes are not in accordance with your understanding, please notify this office promptly; otherwise, we will assume that all in attendance concur with the accuracy of the above.

Prepared by:

PAULUS, SOKOLOWSKI AND SARTOR, INC.



Joseph J. Fleming, P.E.
Senior Associate

JJF/td

cc: All Attendees
Gail Thompson
Bob Miller Jones
Bill Rantanen

Trinity Church Cemetery

Data Recovery Laboratory

Physical Anthropological and Cultural Artifacts

*THIS PORTION REPLACED BY PROPOSAL FROM
MPAT PHYSICAL ANTHROPOLOGISTS (ATTACHED)

Labor - Physical Anthropology

Project Principal	80 hours @	\$100.00	\$8,000.00
Chief Archaeologist	80 hours @	\$60.00	\$4,800.00
Principal Investigator	160 hours @	\$55.00	\$8,800.00
Laboratory Director	240 hours @	\$50.00	\$12,000.00
Physical Anthropologist	1560 hours @	\$45.00	\$70,200.00
Archaeologists	240 hours @	\$22.50	\$5,400.00
Technicians	240 hours @	\$18.50	\$4,440.00

Subtotal \$113,640.00

Anticipated Expenses

Subcontracted laboratory tests	\$50,000.00
Conservation	\$4,000.00
Laboratory expenses and photography	\$12,000.00
Travel and related expenses	\$3,000.00

Subtotal \$69,000.00

Physical Anthropology Total \$182,640.00

Labor - Cultural Artifacts

Project Principal	40 hours @	\$100.00	\$4,000.00
Chief Archaeologist	80 hours @	\$60.00	\$4,800.00
Principal Investigator	520 hours @	\$55.00	\$28,600.00
Laboratory Director	480 hours @	\$50.00	\$24,000.00
Field Osteologist	80 hours @	\$45.00	\$3,600.00
Archaeologists	80 hours @	\$20.00	\$1,600.00
Technicians	320 hours @	\$18.50	\$5,920.00

Subtotal \$72,520.00

Anticipated Expenses

Subcontracted laboratory tests	\$3,000.00
Conservation	\$4,000.00
Laboratory expenses and photography	\$3,000.00
Travel and related expenses	\$1,000.00

Subtotal \$11,000.00

Cultural Artifacts Total \$83,520.00

Trinity Church Cemetery

Data Recovery Fieldwork

October 11, through November 12, 1993

Labor

Project Principal	120 hours @	\$100.00	\$12,000.00
Chief Archaeologist	120 hours @	\$60.00	\$7,200.00
Principal Investigator	250 hours @	\$55.00	\$13,750.00
Project Manager	250 hours @	\$55.00	\$13,750.00
Laboratory Director	120 hours @	\$50.00	\$6,000.00
Field Osteologist	250 hours @	\$45.00	\$11,250.00
Laboratory Supervisor	250 hours @	\$40.00	\$10,000.00
Crew Chiefs	2000 hours @	\$35.00	\$70,000.00
Crew Chiefs	1250 hours @	\$28.50	\$35,625.00
Archaeologists	1500 hours @	\$22.50	\$33,750.00
Archaeologists	1250 hours @	\$20.00	\$25,000.00
Technicians	750 hours @	\$18.50	\$13,875.00

811 person-days	Subtotal	\$252,200.00
	Less 10%	(\$25,220.00)
	Total	\$226,980.00

Anticipated Expenses

Field, conservation and photographic expenses	\$10,000.00
Lodging and per diem expenses	\$25,000.00
Travel and transportation, air and ground, communications	\$4,000.00
Weather related expenses - heaters, shelters, light	\$8,000.00
Consultants - MFAT	\$15,000.00
Consultants - Conservation	\$10,000.00
Consultants - M. Parrinton	\$10,000.00

ABSORBED BY GREENHOUSE < \$10,000.00 >

Subtotal	72,000.00
	\$82,000.00

Field Total	\$308,980.00
	298,980.00

EXHIBIT B

From: Drs. A. Agelarakis, J.V. Taylor, S.J. Turkel, R. DiBennardo
 To: Mr. Barry Greenhouse, Greenhouse Consultants, Inc.
 Re: Revised Budget for the Anthropological Work: Trinity Cemetery
 Date: October 7, 1993

Itemized Budget Estimation for Physical Anthropological laboratory Activities and Analytical Research of the Trinity Cemetery Site Anthropological Collection.

ITEM	SAMPLE SIZE	HOURS	\$ COST/HOUR	\$ COST/SAMPLE, OR UNIT	# OF SKELETONS	TOTAL/ITEM IN \$\$
TEAM MEMBER	1	10	\$30	\$300	50	15,000
ASSISTANTS	4	10	\$10	\$400	50	20,000
ASSISTANTS' SOC. SECUR.	4					1,530
MORPHOLOGY	50			\$200		10,000
PATHOLOGY	50			\$200		10,000
ISOTOPES	10			\$300		3,000
DNA	5			\$300		1,500
X-RAYS	15			\$140		2,100
HISTOLOGY	5			\$350		1,750
HAIR/METAL POLLUTANTS	5			\$350		1,750
SEM	5			\$200		1,000
ENV. POLLEN	25			\$100		2,500
DIET. POLL.	25			\$100		2,500
PARASITOL.	25			\$160		4,000
PHOTO	50			\$100		5,000
REPORT						10,000
ADMINISTR.						3,500
MATERIALS						5,000
VARIOUS						2,000
LAB. RENT	NYIT +	ADELPHI				40,240
LAWYER'S						10,000
TOTAL						152,370

150,000

Contents of transmittal:

- PS&S assessment of site conditions/cost
- Explanation of cost increase
- Memorandum summarizing costs
- Estimate of future costs

6110 River Chase Circle
Atlanta, Georgia 30328
404 988-9091

October 20, 1993

Ms. Gail L. Thompson
New Jersey Performing Arts Center
One Gateway Center, 12th floor
Newark, New Jersey 07102

Re: Trinity Cost Escalation

Dear Gail:

To summarize from our conversation earlier this evening, (as well as past conversations), there have been quite a number of factors contributing to the escalating data recovery costs. Essentially, there are three areas of unanticipated, unexpected, and unplanned factors: (1) pre-data recovery items that either did not work or could not be accomplished; (2) what we are calling the Post-Foley requirements for data recovery; and (3) encountered site, burial, cultural, and weather conditions.

1) Pre-Data Recovery -- The geophysical exploration did not work. We had anticipated that this phase would locate specific burials, isolate areas of burial clusters, and help eliminate areas where burials would not be anticipated. This survey just did not work. Rather, the results proved inaccurate and in fact, misleading.

We had also hoped to conduct a test excavation phase last year in order to determine burial conditions, and thus enable an accurate estimate of site and preservation conditions and costs. This was not possible as the site continued to function as a parking lot.

Site stripping was difficult and also produced confusing results. Mechanical stripping had to be prematurely terminated as burials were encountered at varying depths; we could not chance damage to burials. Hand stripping was extremely laborious, and also had to be terminated. We could thus not accurately determine the number of burials within the universe. The original grade sloped in two directions at the site of the cemetery yielding a great variation in the depth of encountered burials. As a result, the excavation process for each burial was much more complex than anticipated.

Greenhouse CONSULTANTS incorporated
Atlanta New York New Jersey

October 20, 1993

2) Post-Foley Factors -- This is the first cemetery excavated, at least that we are aware, since the Foley Square excavation in New York City. That project brought with it a new way of excavating human burials. We had made the erroneous assumption that Foley Square was the exception and that all that had gone before it was the norm. Our cost estimates were based upon what we had assumed was thus the norm.

The use of physical anthropologists and conservators in the field has brought about delay as well as an exponential increase in the cost of the data recovery process -- both in the field and in the laboratory. Prior to removing each and every burial an extremely comprehensive physical anthropological assessment is made. Prior to Foley all assessments were made by the field archaeologist who was excavating the burial. Now, several field-crew days are lost just waiting for each assessment, not to mention the time needed to prepare for each assessment -- filling out forms and drawings, and awaiting stature and other measurements. Similarly, a lot of time is required for a conservation assessment of the non-human artifacts associated with each burial.

We had anticipated and planned for archaeological decision-making to be made by archaeologists in the field, just as it had been on past excavations. Now the decision-making process is a committee decision (and assessment), made not only by field archaeologists, but also by a team of physical anthropologists, and conservators. Evaluations must be made concerning the nature of preservation of human remains, as well as cultural artifacts. Field time is lost waiting for decisions, measurements, conservation standards and practices, the determination for future anthropological tests and analyses, as well as future laboratory procedures, among a myriad of other factors.

We had anticipated procedures, and planned a budget for, a simple physical anthropological analysis -- as before the Foley project. Now, however, aging and sexing assessments are made in the field, and confirmed in the laboratory. Laboratory work also analyzes hair/metal pollutants, parasitology, histology, isotopes, DNA, x-rays, SEM, dietary pollen and environmental pollen, testing.

Further complicating the archaeological process, adding both time and cost, is having to wait to schedule a physical anthropologist to conduct his field assessment. We have lost valuable days, not to mention some six to eight burials, waiting. Time was lost to illness, broken-down cars, as well as certain conditions, such as which university laboratory would be used, to be met.

October 20, 1993

In addition to these supplemental labor expenses we had to expend several thousands of dollars on field supplies and materials that had not been anticipated. During the Foley project, procedures for conservation were constantly being upgraded. For example the bones were, at the start, being wrapped in newspapers. As data recovery progressed, however, new and more demanding conservation standards were being implemented. While we planned to utilize a medium sensitive to archaeological standards, we had not planned as elaborate a process as is now required by team anthropologists and conservators.

Due to added time constraints required to meet increased burial expectations of the post-Foley era, we had to work our crews both overtime and weekends. All overtime for extended, ten to twelve hour days, as well as Saturdays, is being paid at time-and-a-half regular wages. Foley also started the precedent of providing not only a per diem allowance for meals but also hotel rooms for crew members.

3) Site, Burial, Cultural, and Weather Conditions -- Probably the most important reasons for escalating cost are all related to the unanticipated conditions encountered in the field. Weather -- we lost quite a number of crew-days to rain. In addition, we lost a number of burials to inundation. On September 26, a driving rain caused some 6 to 8 burials to be inundated and consequently lost. These burials were ready to be "pulled" on September 25; however, due to assessment scheduling by team physical anthropologists the burials could not be removed until after the weekend. The ensuing floods washed out these burials, wasting all of the time and cost associated with our work. Further, continual storms washed out a number of other burials; while we were able to salvage them, much additional time was needed to re-excavate each.

Site conditions required logistics, included in our budget, to be encountered, such as drainage sumps. What we did not plan on was that the most likely area for a sump, also happens to be the most sensitive area for burials. Thus, we were not initially able to provide a sump until this area was fully explored. The result of which being a silt and sedimentation problem with the burials in this area, requiring supplemental excavation and cleaning.

Much time has been lost excavating burials shafts that contain no human remains. During two prior relocation episodes conducted by the Church many burials were removed and the shafts refilled. As there is no historical record of these episodes nor documentation plan of the cemetery, we excavated a number of empty shafts. The time required to excavate an empty shaft is the same as the time required to excavate a shaft with human remains.

Ms. Gail L. Thompson

-4-

October 20, 1993

One of the major reasons for cost overruns is the extremely poor, and unanticipated, state of preservation of the bones, far worse than previous skeletons recovered from the time period. Skeletal remains are extremely fragile and brittle. Due to this fragility of the bones, extreme care is needed to expose and remove each of the burials. Far more time is thus required to excavate each and every burial than was anticipated in our budget.

Complicating the condition of the bones is the condition of the overburden and the resultant impact upon the bones. During prior relocation episodes many of the burials were removed while others were inadvertently displaced. Some burials were overturned while others were enmeshed with neighboring burials, appearing like the burials were stacked on top of each other. In one instance an overturned burial gave the appearance of being prehistoric. This disturbance has greatly increased the complexity of the analysis, as well as the time required for excavation and assessment. Not only does this disturbance greatly increase cost, it also reduces the quality of information that may be gained, in the laboratory, by physical anthropological analysis.

Ground disturbance and filling and grading during the most recent construction of the parking lot, (circa 1967), greatly increased the complexity of excavation and assessment. Boulders placed as fill during construction of the parking lot, worked down into the burials. We have had to excavate rock fragments from most of the burials. This fractured rock has caused an increase in the time required for excavation, as well as adding complexity by crushing and fragmenting bones. For example, we have to excise fragments of rock from skulls and other bones before we are able to assess and excavate the bones. Further, instead of being able to remove an entire skull we now have to remove each of the skull fragments separately, mending and assessing as we proceed.

In contrast to the condition of the bone, the textile and leather as well as other non-human artifacts contained within the burials is remarkably well preserved. Excavating these materials is very time consuming. Further, a conservator is required nearly full-time for field consultation and material assessment. The coffins and grave-furniture are extremely elaborate and include elements, such as viewing ports, fancy handles, palls, decorative plaques, among other features. These features subsequently increase both the recording and documentation, increasing the excavation time, and substantially adding to the cost.

Ms. Gail L. Thompson

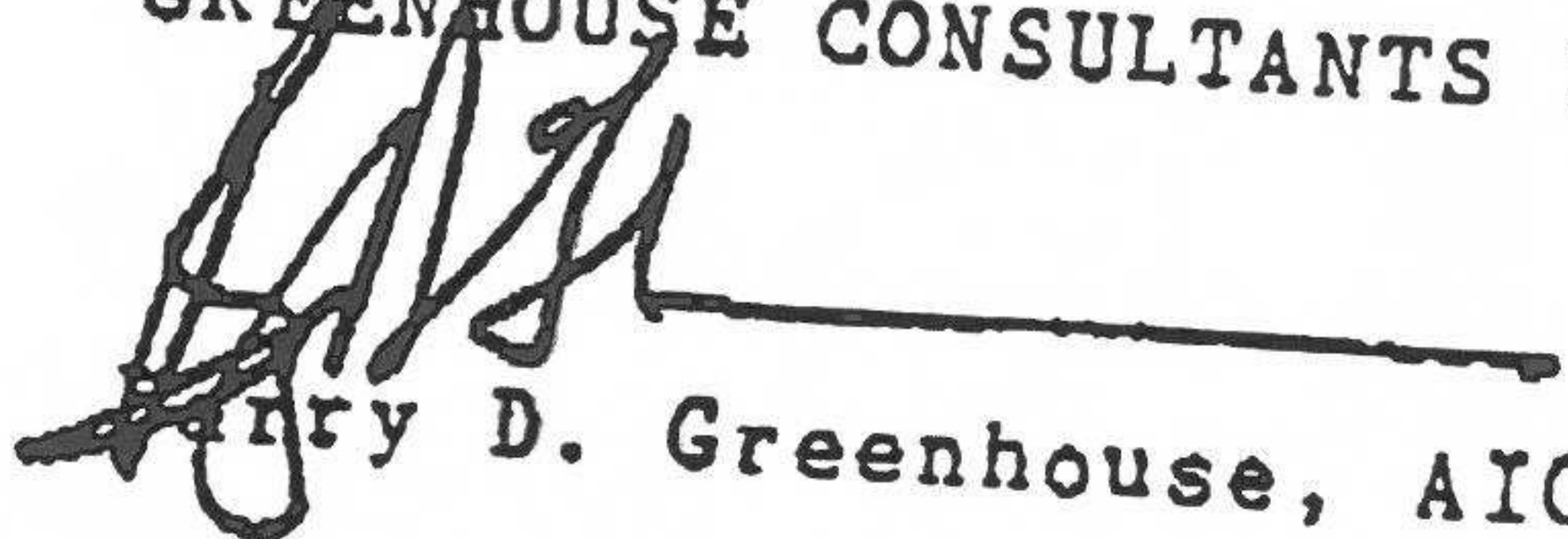
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In conclusion, the factors contributing to the escalating cost of data recovery include those related to site, burial, cultural and weather conditions, compounded by the new era of increased burial recovery expectations evidenced since the Foley Square project in lower Manhattan. Had the geophysical exploration yielded usable results, or more importantly, had we had the opportunity to do a comprehensive test excavation last year, we would have been able to better assess the costs involved with this data recovery. Our being able to anticipate those complications of prior relocation episodes, construction impacts, or the slow process of a physical anthropological assessments, would be unlikely. In any event, if we could have more accurately anticipated costs, there would have been nothing we could have done to reduce these costs.

Sincerely,

GREENHOUSE CONSULTANTS INC.


Harry D. Greenhouse, AICP

BDG:mj




New
Jersey
Performing
Arts Center

Gail L. Thompson, AIA
Vice President
Design & Construction

One Gateway Center (12th floor)
Newark, New Jersey 07102
Telephone: 201-648-8989
Fax: 201-648-6724

MEMORANDUM

TO: Lawrence P. Goldman

FROM: Gail L. Thompson 

DATE: October 19, 1993

RE: ARCHAEOLOGY/ANTHROPOLOGY -
ANTICIPATED COSTS

The original budget furnished by Greenhouse Consultants for mitigation of the Trinity Church Cemetery projected a cost of \$2,850 per burial for excavation, \$1,200 per burial for anthropological laboratory analysis and report preparation. The schedule of six weeks for excavation also required the addition of a second anthropologist at \$14,000. The total anticipated costs were \$216,500. This was based on excavation of 20% (50) of the total burials in the cemetery. It was the consensus of all those a party to the Memorandum of Agreement governing historic mitigation that the scope be limited to 20% based on the costs involved as related to the total amount of the \$1.2 million federal grant.

Also a factor was the impact that the time allotted for mitigation may have on the overall project schedule. The proposed six week time frame projected an October 7th completion. The current anticipated completion date is November 15th.

The revised budget submitted by Barry Greenhouse on October 14th is as follows:

Excavation for period between October 11 and November 12, 1993:	\$226,980
Field expenses:	72,000
Anthropology (laboratory analysis and report):	150,000
Cultural Artifacts (analysis and report):	72,520
Related expenses:	<u>11,000</u>
Subtotal:	\$532,500
 Paid through October 11th:	 \$266,252*
Total including amounts paid to date:	\$798,752

*Invoices total \$290,887.69. Full amounts not paid.

The original budget was based on the Scope of Work outlined in a July 1993 addendum to the State 3 archaeological report submitted to the Office of New Jersey Heritage. As outlined above, the original budget was also based on a per burial unit cost. Although the scope has not been modified the value has increased nearly fourfold.